



## The Cottage School Inc.

### PRIVACY POLICY

Approved by Committee 15 May 2014

Information provided to and collected by The Cottage School is held, used and managed in a way which protects the privacy of its students and their families, employees, volunteers and contractors. The Cottage School is bound by the *Privacy Act 1988* (the Act) and the Australian Privacy Principles contained in the Act.

For more information about the *Privacy Act 1988* visit the website of the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au)

The Cottage School's Privacy Compliance Officer (the PCO) is the Business Manager.

#### Personal Information Collection

The Cottage School only collects information necessary to provide and facilitate the education and safety of students. The information is collected fairly and lawfully and where possible the consent of the parent/carer is obtained with their written consent. Additionally there is a legislative recognition of a person's right to know and to have their personal information remain secure and private.

Under section 6 of the Act "Personal information" is information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a) whether the information or opinion is true or not; and
- b) whether the information or opinion is recorded in a material form or not.

The type of information collected and held includes (but is not limited to) personal information, including health and other sensitive information, about:

- students and parents/carers before, during and after the course of a student's enrolment at the School;
- employees, volunteers, job applicants and contractors; and
- other people who come into contact with the School.

Personal information about an individual is collected by way of forms filled out by parents/carers of students, where practicable. All collection forms will state the reasons for the information collection and refer the parent/carer to this policy and the PCO. Information may also be collected at face-to-face meetings and interviews, and by telephone calls and emails. Occasionally people other than parents and students will provide personal information, for example a report provided by a medical professional or a reference from another school. In these circumstances the individual will be informed of the purpose of collecting the information and the way the information will be used.

#### Purpose of Personal Information Collection

The Cottage School uses personal information it collects for the primary purpose for which it was collected, and for related secondary purposes reasonably expected, or to which consent has been given. Personal information may include educational and academic records, student behavior and disciplinary records, addresses, dates of birth, phone numbers, email addresses and health information.

Use and disclosure of personal information should only be for the purpose for which it was collected or a related purpose that the affected person would reasonably expect. Information collected within The Cottage School should not be generally shared with others without consent unless the principle of primary or related purposes applies.

## Students and Parents/Carers

The Cottage School's primary purpose of collecting personal information about students and parents/carers is to enable the school to provide schooling for the student. This includes satisfying both the needs of parents/carers and the needs of the student throughout the whole period the student is enrolled at The Cottage School.

The purposes for which The Cottage School uses personal information of students and parents/carers include:

- to keep parents/carers informed about matters related to their child/ren's schooling, through correspondence, newsletters and magazines;
- day-to-day administration;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for The Cottage School;
- to satisfy The Cottage School's legal obligations and allow The Cottage School to discharge its duty of care.

Any requests for consent and notices in relation to the personal information of a student are referred to the student's parents/carers. The Cottage School treats consent given by parents as consent given on behalf of the pupil, and notice to parents acts as notice given to the pupil.

In some cases where The Cottage School requests personal information about a student or parent/carer, if the information requested is not obtained, The Cottage School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

## Employees, Volunteers, Job Applicants and Contractors

The Cottage School's primary purpose of collecting personal information about employees, volunteers, job applicants and contractors is to assess and (if successful) to engage the employee, volunteer, applicant, or contractor, as the case may be.

The purposes for which The Cottage School uses personal information of employees, volunteers, job applicants, and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking funds and marketing for The Cottage School;
- to satisfy The Cottage School's legal obligations, for example, in relation to child protection legislation.

## Marketing and Fundraising

Marketing and seeking donations for future growth and development as an important part of ensuring that The Cottage School continues to be a quality learning environment in which both students and staff thrive. Consent will be obtained before personal information held by The Cottage School is disclosed to an organisation that assists in The Cottage School's fundraising, for example, Friends of the Cottage School (FOCS).

## Disclosure of Personal Information

The Cottage School is required to comply with the Australian Government's *Privacy Act 1988* in relation to collection, storage and sharing of personal information. Schedule 1 of the *Privacy Act 1988* sets out the Australian Privacy Principles that relate to information sharing. The Australian Privacy Principles allow information to be shared in certain circumstances. Importantly, information may be shared:

- when there is consent of the person to whom the information relates, or
- there is impending danger – ie it is reasonably believed that use or disclosure is necessary to reduce or prevent a threat to a person's life or health or safety or a serious threat to public health or safety

- it is reasonably believed the use is necessary for law enforcement, public revenue protection, prevention and remedying of seriously improper conduct, or preparation or conduct of court or tribunal proceedings, either by or on behalf of an enforcement body
- disclosure is required or authorised by law. For example, under the Tasmanian *Children, Young Persons and Their Families Act 2007* a teacher is legally bound to make a notification report to Child Protection Services where they believe, suspect or know a child is at risk of abuse or neglect.

Consent is generally required for the collection of 'sensitive information' and disclosure to a third party. The Cottage School will endeavour to seek the consent of the individual's parent/carer, before sharing sensitive information about an individual to:

- another school;
- government department;
- medical practitioners; and
- people providing services to The Cottage School, including specialist visiting teachers and sports coaches

Prior to a student's enrolment the parent/carer will be provided an enrolment form that will provide their consent to have their child's activities, work, shared experiences and photographs be made available to:

- recipients of School publications, such as term Newsletters;
- other Cottage School parents/carers;
- anyone that an individual authorises; and
- anyone to whom the School is required to disclose the information to by law.

If the parent/carer later wishes to withdraw this general consent they will need to inform the school in writing.

The Cottage School will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent will be implied); or
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

If information is used or disclosed without the individual's consent, a written note will be made of such disclosure to notify the individual or individual's parent/carer. However, clearly there would be some circumstances where it would be illegal or not make sense to advise the parent/carer of the disclosure of information.

## **Sensitive information**

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

## **Management and security of personal information**

The Cottage School's staff are required to respect the confidentiality of students' and parents'/carers' personal information and the privacy of individuals.

The School has in place steps to protect the personal information held from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password protected access rights to computerised records.

The School has in place procedures to ensure the timely and secure disposal or de-identification of personal information no longer needed for any purpose including any requirement of law.

The Cottage School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. An individual may seek to update their personal information held by The Cottage School by contacting the PCO.

## **Rights of Access to Personal Information**

Parents/carers have the right to seek access to personal information held by the School about them or their child and to advise the school of any perceived inaccuracy. Requests for access should be made to the PCO. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, may result in a breach of the School's duty of care to the pupil, pose a serious threat, is unlawful, would prejudice negotiations with the individual, contravene a court order, relate to law enforcement or is commercially sensitive. If a request to access personal information is denied, written reasons will normally be given.

The School may require you to verify your identity and specify what information you require.

## **Anonymity**

Where it is lawful and practicable, individuals may enter into transactions with the School on an anonymous basis or use a pseudonym.

## **Enquiries & Complaints**

For further information or to lodge a complaint about the way The Cottage School manages the personal information it collects, please contact the Business Manager, who is the PCO. Complaints must be in writing. If there is no response to a complaint from the School after 30 days, a complaint can be made to the Australian Information Commissioner at [www.oaic.gov.au/privacy/privacy-complaints](http://www.oaic.gov.au/privacy/privacy-complaints)